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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,471	09/10/2003	Jan-Ove Palmberg	6730.056.NPUS00	4947
28694 7590 08/09/2007 NOVAK DRUCE & QUIGG, LLP 1300 EYE STREET NW SUITE 1000 WEST TOWER WASHINGTON, DC 20005			EXAMINER WILLIAMS, MAURICE L	
			ART UNIT 3611	PAPER NUMBER
			MAIL DATE 08/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/660,471

Applicant(s)

PALMBERG ET AL.

Examiner

Maurice Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 47-65 is/are pending in the application.
- 4a) Of the above claim(s) 49, 53, 54 and 58-61 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 47, 48, 50-52, 55-57 and 63-65 is/are rejected.
- 7) ☒ Claim(s) 62 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Remarks

1. The previous examiner involved with the prosecution of this case has recently left the office. This case has been transferred to a new examiner.

Information Disclosure Statement

2. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the controller must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

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and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities:
 - a. ¶ 0003, ln. 2: 'or assist force' should be removed
 - b. ¶ 0019, ln. 1: 'angel' should be changed to 'angle'
 - c. ¶ 0044, ln. 3: '330' should be changed to '340'
 - d. ¶ 0050, ln. 5: 'cambers' should be changed to 'chambers'

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claims 48, 50-52, 55-57, and 65 rejected under 35 U.S.C. 102(b) as being anticipated by Doolittle (US 5,713,429). Doolittle discloses:

A hydraulic power assisting steering apparatus (Fig. 1) comprising a valve (22) that is arranged to be actuated depending on an applied torque for altering pressure of an hydraulic fluid to be received by a hydraulic power steering system for applying a steering assist force (col. 1, ln. 66-col. 2, ln. 3), wherein the valve is arranged to be dynamically further actuated according to a control mechanism depending on at least one external or internal vehicle input parameter (col. 2, ln. 16-21); wherein said valve has at least one valve member arranged for at least one axial-displacement relative to a second valve member and a cam (120) which is arranged to rotatably engage with a guide portion associated with the at least one valve member for causing axial displacement of the at least one valve member when said cam rotates (col. 6, ln. 7-11).

The valve member is (indirectly) displaced by means of an electric motor (14), which (indirectly) actuates the cam.

The valve member is also rotatably displaced. (col. 6, ln. 7-8)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 47, 55-57, and 63 are rejected under 35 U.S.C. 103(a) as being anticipated by Okada et al. (US 5,593,002). Okada discloses:

A hydraulic power assisting steering apparatus (Fig. 1) comprising a valve (22) that is arranged to be actuated depending on an applied torque for altering pressure of an hydraulic fluid to be received by a hydraulic power steering system for applying a steering assist force (col. 2, ln. 7-10), wherein the valve is arranged to be dynamically further actuated according to a control mechanism depending on at least one external or internal vehicle input parameter (col. 2, ln. 17-19: dependence on vehicle speed); wherein the valve is arranged to be dynamically further actuated by displacement of one a first valve member relative to a second valve member (col. 5, ln. 49-63); wherein one said first valve member is arranged to be axially and rotatably displaced with respect to a shaft in the hydraulic power steering system (Figs. 4a-c show that member 39 is axially and rotatably displaced during operation).

Okada also discloses another member of the valve (41) actuated with respect to member 39, depending on applied torque and a vehicle input parameter (col. 6, ln. 19-36 discusses the adjustment in relation to the speed at which the vehicle is traveling). The members are rotatably and axially displaced with respect to one another as shown in Figs. 4a-c.

Okada does not directly disclose a motor used to displace the valve member. However, col. 7, ln. 8-10 indicates that an electric motor may be used in an alternate embodiment. Therefore it would have been obvious to a person having ordinary skill in the art at the

time of the invention to modify the pictured embodiment in order to provide a motor for actuation, which is well known in the art.

Response to Arguments

6. Applicant's arguments, see Applicant Arguments, filed 03/08/07, with respect to all § 112 rejections have been fully considered and are persuasive. The rejection of claims 47, 48, 50-52, and 55-57 has been withdrawn.

7. Applicant's arguments, see Applicant Arguments, filed 03/08/07, with respect to the rejection(s) of claim(s) 47-61 under § 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art.

Allowable Subject Matter

8. Claims 62 and 64 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Modrzejewski (605), Bishop (306), Dymond (545), Ueno (421), and Walton (419).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maurice Williams whose telephone number is (571) 272-4263. The examiner can normally be reached on Monday - Friday, 8 a.m. - 5 p.m..

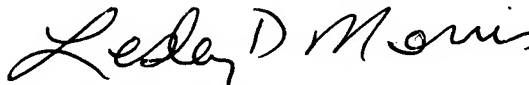
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Maurice Williams
Examiner
Art Unit 3611

MLW
August 3, 2007



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